

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

TERRY WALLACE DUALLO,

Plaintiff,

v.

Case No: 5:20-cv-316-GKS-JBT

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER


THIS CAUSE came on for consideration upon Plaintiff Terry Wallace Duallo's Unopposed Petition for EAJA [Equal Access to Justice Act] Attorney Fees Pursuant to 28 U.S.C. § 2412(d), together with exhibits, (Doc. 26) (Petition), in the amount of \$8,278.75, which the Court referred to the United States Magistrate Judge for a report and recommendation (Report and Recommendation). The Defendant, Commissioner of Social Security, has not filed any response to the Petition or the Report and Recommendation.

Having reviewed and considered the Report and Recommendation (Doc. 27) entered on August 6, 2021, it is hereby **ORDERED** and **ADJUDGED** as follows:

1. United States Magistrate Judge Joel B. Toomey's Report and Recommendation (Doc. 27) is **APPROVED** and **ADOPTED** and is made part of this Order for all purposes, including appellate review.
2. Plaintiff Terry Wallace Duallo's Petition is **GRANTED**, as follows:

Plaintiff is awarded attorney's fees in the amount of \$8,278.75, \$19.20 for expenses and \$400.00 for costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) (Doc. 26).
3. The Commissioner will determine whether Plaintiff owes a debt to the government. If the United States Department of the Treasury determines that Plaintiff does not owe such a debt, the government will accept Plaintiff's assignment of EAJA fees and pay the fees directly to Plaintiff's counsel.
4. The Clerk of the Court is directed to **ENTER JUDGMENT accordingly**, in favor of Plaintiff Terry Wallace Duallo and against Defendant Commissioner of Social Security.

DONE AND ORDERED at Orlando, Florida, this 16 day of September, 2021.



G. KENDALL SHARP
SENIOR UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of Record
Unrepresented Parties